

REMARKS

Prior to entry of this paper, Claims 1-29 were pending. In this paper, Claims 12, 15, 16, 17, and 18 are amended; no claims are cancelled or added. Claims 1-11 and 19-29 are withdrawn. Claims 12-18 are currently pending. No new matter is added by way of this amendment. For at least the following reasons, Applicant respectfully submits that each of the presently pending claims is in condition for allowance.

Objections

In the Office Action, the Examiner objects to Claims 12 and 16 for informalities. These informalities have been corrected per the Examiner's recommendations. As such, the claim objections are now moot and the Applicant respectfully requests that they be withdrawn.

Additionally, an IDS has been included to provide the Examiner with additional information, as requested under 37 CFR 1.105 regarding the labeled prior art. Specifically, the IDS points to "An Ethernet Address Resolution Protocol" RFC 826, available from the IETF.

Rejection under 35 U.S.C. § 112, first paragraph to drawings and specification

In the Office Action, the Examiner rejects Claims 12-18 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The reference to the "direct access module" has been replaced with the "direct internet protocol module" (DIP). DIP is disclosed in both the specification and the drawings. See Page 3, paragraph 0010 and Figure 3. Further, Claim 12 has been expanded to include a software component and something to broadcast, as requested by the Examiner.

As such, the Applicant requests that the objection to the Specification and Drawings, as well as the rejection under 112, 1st paragraph, be withdrawn.

Rejection under 35 U.S.C. § 112, second paragraph

In the Office Action, the Examiner rejects Claims 12-18 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which Applicant regards as the invention. Regarding Claim 12, the term “direct access” does not appear in the amended claim language. As such, this rejection is now moot and should be withdrawn. Regarding Claim 16, the amount of time has been limited to a finite amount of time. Further, Applicant notes that the system is not claimed to power itself up. Instead, the claim discloses, in part, that the DIP is disabled ... *after* power up. Further, Claim 18 has been amended to clarify its limitations. As such, the Applicant submits that this rejection should be withdrawn and the claims should be allowed to issued.

Rejection under 35 U.S.C. § 102 and § 103

In the Office Action, the Examiner rejects Claims 12, 13, and 18 under 35 U.S.C. §102(e) as being anticipated by Hanson et al., (U.S. Patent No. 6,546,425, hereinafter “Hanson”). In the Office Action, the Examiner rejects Claims 14 and 17 under 35 U.S.C. §103(a) as being unpatentable over Hanson in view of Ullmann et al., (U.S. Patent Application Publication No. 2002/0172222, hereinafter “Ullmann”). The Examiner rejects Claims 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Hanson in view of Fuoco et al., (U.S. Patent No. 6,594,713, hereinafter “Fuoco”). Applicant traverses these rejections.

Regarding Claim 12, Applicant holds that Hanson does not teach or suggest every limitation of amended Claim 12. For example, Hanson does not teach or suggest forcing the network element to have an IP address within an access range of the management node, as claimed, in part, by at least amended Claim 12. Instead, Hanson appears to teach that a Mobile End System (MES) may change its own network address (see Hanson, column 3, lines 24-25) and that the Mobility Management Server (MMS) provides each MES “with a proxy address on the primary network ... known as the ‘virtual address.’” See Hanson, column 3, lines 35-39. Nowhere does Hanson appear to teach or suggest the MMS actually changing the physical IP address of the MES,

but rather assigning an additional “virtual address” to the MES. Assigning an additional “virtual address” does not anticipate forcing the network element to have *an IP address* within an access range of the management node. Thus, for at least this reason, Hanson can not anticipate nor render obvious amended Claim 12. Therefore, amended Claim 12 should be allowed to issue.


Since dependent amended Claims 13-18 are at least allowable for the same reasons as independent amended Claim 12 upon which they depend respectively, the rejection of these claims is now moot. Therefore, amended Claims 12-18 are non-obvious and in condition for allowance over the prior art references.

CONCLUSION

Applicant respectfully submits that the application is in condition for allowance. Favorable consideration on the merits and prompt allowance are respectfully requested. In the event any questions arise regarding this communication or the application in general, the Examiner is invited to contact Applicant’s undersigned representative at the telephone number listed below.

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Respectfully submitted,

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